

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NATIONAL LABOR RELATIONS
BOARD,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.,

Defendant.

Case No. [16-mc-80057-KAW](#)

**ORDER CONTINUING HEARING ON
APPLICATION FOR ORDER TO
ENFORCE OBEDIENCE TO
SUBPOENAS TO AUGUST 18, 2016**

On March 2, 2016, the National Labor Relations Board (“Board”) applied for an order enforcing two administrative subpoenas it issued in connection with its investigation of certain charges of unfair labor practices against Respondent Uber Technologies, Inc. The application was scheduled to be heard on July 7, 2016.

On July 5, 2016, Uber filed a motion to stay the instant proceeding in light of the pending motion for preliminary approval of the class action settlement in *O’Connor v. Uber Technologies, Inc.*, Case No. 13-cv-03826-EMC, which, if approved, would provide for the withdrawal of the two charges filed in this region. (Dkt. No. 31-1 at 2.) Therein, Respondent requested that the July 7, 2016 hearing be continued. (Dkt. No. 31-8.)

While the Court understands that the Board has broad investigatory authority, the potential mootness of the charges in this region would undoubtedly affect the scope of the subpoenas. The Court does not believe that a short postponement will harm the public interest. (7/6/16 Letter, Dkt. No. 33.)¹ Accordingly, in the interest of judicial economy, the Court continues the hearing on the application to August 18, 2016—the same date the motion to stay is scheduled to be heard.

¹ The undersigned notes that more than four months elapsed between the first charge filed and the Board’s issuance of the subpoenas, which is far outside its own investigatory time target of six weeks. (See 7/6/16 Letter at 2.)

IT IS SO ORDERED.

Kandis Westmore
KANDIS A. WESTMORE
United States Magistrate Judge